



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

February 25, 2014

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To: Supervisor Don Knabe, Chairman
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From: William T Fujioka
Chief Executive Officer

SACRAMENTO UPDATE - STATUS OF COUNTY-SPONSORED LEGISLATION

This memorandum provides the status of 15 legislative proposals for County sponsorship that the Sacramento advocates will be pursuing in the second year of the 2013-14 Legislative Session. All of the proposals described in this memorandum are consistent with previous Board actions and/or existing policy.

Two proposals related to human trafficking and conversion technology are continued from the first year of the 2013-14 Legislative Session. Six proposals are pursuant to Board-adopted motions to: 1) amend provisions of the Sexually Violent Predator Act related to conditional release hearing notifications; 2) authorize counties to contract with private community correctional facilities; 3) extend the sunset date of the Enhanced Homeowners Notification Program; 4) increase criminal penalties for individuals who solicit sexual services of a minor; 5) allow county child welfare agencies access to criminal records for foster care providers; and 6) increase the financial penalties for sex trafficking of minors to fund victim support services.

In addition, this office is working with the Sacramento advocates to pursue seven new proposals related to: 1) special elections reimbursement; 2) electronic access to vital records; 3) amendments to the California Public Records Act; 4) medical authorization for children detained in the dependency system; 5) authorization for wiretaps in human trafficking cases; and 6) technical amendments to **County-sponsored AB 396 of 2011** regarding reimbursement for in-patient hospital services for detained juveniles. Furthermore, a proposal related to technical amendments to the financing mechanism for the new Martin Luther King, Jr. Community Hospital will be pursued administratively or through trailer bill language.

"To Enrich Lives Through Effective And Caring Service"

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All proposals have been vetted by this office, appropriate departments, County Counsel, and the Sacramento advocates. The deadline for bill introduction was Friday, February 21, 2014. Each proposal is discussed in more detail below.

County-Sponsored Legislation Continued from 2013

SB 473 (Block) - Human Trafficking (Board Action - March 5, 2013). As amended on September 3, 2013, this measure would add human trafficking to the list of felony offenses that may be used to establish a pattern of criminal gang activity pursuant to Proposition 21 of 2000 and make an individual eligible for enhanced criminal sentences and penalties. This measure is currently on the Assembly Inactive File and is a two-year bill.

SB 498 (Lara) - Conversion Technologies (Board Action -September 25, 2012). As amended on January 27, 2014, this measure would include conversion technologies in the definition of "biomass conversion" and define "biomass conversion" to mean the production of heat, fuels, or electricity by the controlled combustion of, or the use of other noncombustion thermal conversion technologies on specified materials, when separated from other solid waste. SB 498 passed the Senate Floor by a vote of 34 to 0 on January 28, 2014, and is in the Assembly pending assignment to committee.

SB 498 is intended to accomplish the objectives of **County-sponsored SB 804 of 2013**, which was vetoed by the Governor on October 11, 2013. This measure addresses concerns raised by the Governor by making clear that conversion technologies may process biomass material and by clearly defining conversion technology as a biological, chemical or thermal process that converts biomass into energy or fuel.

Board Motions to Pursue County-Sponsored Legislation

AB 1607 (Fox) - Sexually Violent Predators (Board Action - July 9, 2013). This measure is co-sponsored with the District Attorney. As introduced on February 5, 2014, AB 1607 would require a court to give notice of the hearing for the conditional release of a Sexually Violent Predator (SVP) at least 35 court days prior to the hearing date. This bill is currently a spot bill and language related to the notification requirements of SVP conditional release hearings will be added once the bill is eligible for hearing and amendments. AB 1607 is awaiting a hearing in the Assembly Public Safety Committee.

AB 2534 (Dababneh) - Authority to Contract with Private Community Correctional Facilities (Board Action - January 7, 2014). As introduced on February 21, 2014, this measure would authorize the Los Angeles County Board of Supervisors, upon agreement with the Sheriff, to enter into contracts with private community correctional facilities to house inmates sentenced to county jail. AB 2534 is in the Assembly pending assignment to committee.

SB 827 (Liu) - Enhanced Homeowner Notification Program (Board Action - September 24, 2013). As introduced on January 6, 2014, this measure would extend to January 1, 2020, the authorization contained in **County-sponsored SB 62 of 2011**, which allows Los Angeles County to send notifications to occupants of a residential property when a notice of default or of sale has been recorded on that residence and provides for counseling and assistance to all notification recipients. SB 827 has been double referred to the Senate Governance and Finance Committee and the Senate Judiciary Committee. Hearing dates have not yet been scheduled.

SB 982 (Huff) - Increased Criminal Penalties for Solicitation of a Minor (Board Action - September 3, 2013). As introduced on February 11, 2014, this measure would make it a felony punishable in a county jail for 16 months or two or three years, for individuals who seek to procure, or procure, the sexual services of a prostitute if she or he is under 18 years of age. SB 892 is in the Senate pending assignment to committee.

SB 1136 (Huff and Mitchell) - Child Welfare Agencies Access to Criminal Records for Foster Care Providers (Board Action - January 14, 2014). As introduced on February 20, 2014, this measure would authorize the California Department of Social Services (CDSS) to share all information related to a criminal record clearance or exemption granted by CDSS with a county child welfare agency with responsibility to monitor the health and safety of persons receiving care, treatment, or services from State licensed foster homes, certified homes of licensed foster family agencies and employees of those agencies, and licensed group homes. This bill would also authorize a county child welfare agency to receive State-summary criminal history information to assess the appropriateness and safety of placing a detained or dependent child with the above mentioned foster care providers. SB 1136 is in the Senate pending assignment to committee.

SB 1388 (Lieu, Hill and Mitchell) - Increased Penalties for Sex Trafficking of Minors and Funding for Victim Services (Board Action - September 3, 2013). As introduced on February 21, 2014, this measure would set the minimum fine for conviction of pimping of a minor at \$5,000, maintains the maximum fine of \$20,000, and would establish a fine of not less than \$1,000 but not more than \$10,000 for anyone

convicted of soliciting a minor. This measure specifies that funds collected from these fines be directed to a county victim services fund to provide support services for child sexual exploitation and child sexual abuse victim counseling services and programs for child victims of human sex trafficking. Additionally, SB 1388 would make a person who seeks to purchase or who purchases a commercial sex act guilty of a misdemeanor punishable in a county jail for at least 48 hours, but not more than six months and by a fine of at least \$1,000 and not more than \$50,000. This measure is in the Senate pending assignment to committee.

New Recommendations for County-Sponsored Legislation

AB 2273 (Ridley-Thomas) - Special Elections Reimbursement. As introduced on February 21, 2014, this measure would require the State to reimburse counties for special vacancy elections, including reimbursing counties for special election expenses incurred between January 1, 2013 and December 31, 2013. AB 2273 is in the Assembly pending assignment to committee.

AB 2275 (Ridley-Thomas) - Electronic Access to Vital Records. As introduced on February 21, 2014, this measure would provide local agencies with the option to provide constituents access to their vital records via an electronic identification process. AB 2275 is in the Assembly pending assignment to committee.

AB 2507 (Bocanegra) - California Public Records Act. As introduced on February 21, 2014, this measure would amend the California Public Records Act (CPRA) to clarify that public entities' attorney billing records in litigation that is pending against the public entity are exempt from CPRA's disclosure provisions. AB 2507 is in the Assembly pending assignment to committee.

SB 909 (Pavley) - Medical Authorization for Detained Children in the Dependency System. As introduced on January 23, 2014, this measure would allow a social worker to authorize an initial medical, dental, and mental health screening of a child in temporary custody that is necessary prior to the required initial petition hearing to help meet the needs of detained children in the dependency system, among other provisions. SB 909 is awaiting a hearing in the Senate Human Services Committee.

SB 955 (Mitchell) - Human Trafficking - Wiretaps. As introduced on February 6, 2014, this measure would add human trafficking to the list of offenses for which interception of electronic communications (wiretaps) may be ordered. SB 955 is in the Senate pending assignment to committee.

Each Supervisor
February 25, 2014
Page 5

SB 1089 (Mitchell) - Reimbursement for In-Patient Hospital Services for Detained Juveniles. As introduced on February 19, 2014, this measure contains technical amendments to **County-sponsored AB 396 of 2011** which allows counties and the California Department of Corrections and Rehabilitation to draw down Federal Medicaid matching funds to provide reimbursement for the medical treatment of detained juveniles who require in-patient hospital services outside of a detention facility for more than 24 hours.

The California Department of Health Care Services requested amendments to AB 396 in order to clarify that: 1) county participation in the AB 396 funding mechanism is voluntary and subject to the county paying the non-Federal share of cost; 2) participating counties are responsible for paying the State's administrative costs associated with this process; and 3) specify that provisions of AB 396 are intended to result in no increased costs to the State General Fund. SB 1089 is in the Senate pending assignment to committee.

Other Legislative Proposals Under Consideration

Technical Amendments to the Funding Mechanism for the New Martin Luther King, Jr. Community Hospital. As reported on January 22, 2014, the Sacramento advocates will seek amendments to **County-sponsored AB 2599 of 2010** (Chapter 267, Statutes of 2010) related to financing for the new Martin Luther King, Jr. Community Hospital. AB 2599 codified the agreement between the State, Los Angeles County and the University of California to open a new, private, non-profit hospital at the Martin Luther King, Jr.-Harbor Hospital campus. AB 2599 required a minimum level of Medi-Cal funding to provide financial viability for the new hospital through specified funding mechanisms or mechanisms that provide equivalent funding. The Department of Health Services indicates that technical statutory changes are needed to ensure that the agreed upon funding outlined in AB 2599 is maintained for the new Martin Luther King, Jr. Community Hospital. This office and the Sacramento advocates will continue to work with the Administration and the Legislature to secure necessary technical amendments to AB 2599 administratively or through trailer bill language.

We will continue to keep you advised.

WTF:RA
MR:KA:IGEA:ma

c: All Department Heads
Legislative Strategist